

REMARKS

Claims 1-53, all the claims pending in the application, stand rejected. Claims 1, 33, 34, 36 and 37 are amended. Claims 12-18, 27-32, 35 and 38 are cancelled.

Support for the amendments to independent claim 1 are based on Figures 5A and 5B and the associated written description at page 11, line 11 to page 12, lines 25 of the original PCT specification.

Information Disclosure Statement

The Examiner has advised that the information disclosure statement filed 06/14/2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. Applicants will submit the required copies shortly.

Specification

The specification is objected to because it dose not include the cross reference to related applications. This change has been made.

Claim Objections

Claims 1 and 15 are objected to because of several informalities/grammatical problems. Appropriate correction has been made and claims 12-18 are cancelled, rendering the objection moot.

Claim Rejections - 35 USC § 102

Claims 1-46 are rejected under 35 USC 102 (e) as being anticipated by Sirringhaus et al., U.S. Publication No. 2005/0071969. This rejection is traversed for at least the following reasons.

Sirringhaus et al ‘969 was published on **April 7, 2005** on the basis of a filing of Application USSN 10/398,442 in the USPTO on December 15, 2003. Sirringhaus et al ‘969 has at least one inventor in common with the present application and is commonly owned by Plastic Logic Ltd. of Great Britain, as is evident from the face of the reference and the recorded assignment in the present application (reel 017715, frame 0944).

The present application was filed in the USPTO on December 22, 2005 as a National Stage application based on PCT application PCT/GB2003/005435, filed on **December 12, 2003** and claiming priority from United Kingdom application 0229191.2 having a priority date of December 14, 2002.

On the basis of the foregoing, Sirringhaus et al is not available as prior art under Section 102(b), as it was published after the US filing date of the present application. Furthermore, it is not available as prior art under Section 102(a) or (e) because of the common ownership and common inventorship with the present application, and because the U.S. filing date of Sirringhaus et al is after the priority date of the present application.

Nonetheless, Applicants will address the rejection as if properly made on the basis of the PCT Application WO 0229912, which was published on **April 11, 2002**. Applicants have cited this publication in an accompanying IDS.

Amended Claim 1

Turning next to the substance of the rejection, Applicants note that Sirringhaus et al '969 discloses a method for forming an electronic device in a multilayer structure comprising several steps as illustrated in Figs. 1 and 4-7. In particular, the Examiner relies on Fig. 4 for pertinent teachings.

Applicants respectfully note that Figure 4 of Sirringhaus et al '969 illustrates a technique in which embossing is used to create a microgroove, into which are deposited a semiconducting layer (F8T2), a gate insulating layer (PMMA) and a gate electrode (G).

In contrast, amended claim 1 specifies controlling the lateral location of an upper element of the device using a topographic profile that is formed by a deposition technique (i.e. NOT by embossing). With reference to Figures 5A and 5B of the present application, according to the invention of amended claim 1, the step of depositing one or more lower electrodes on a substrate serves at the same time to create a topographic profile that is later used to control the positioning of one or more upper electrodes.

Claims 12-11, 19-26, 33, 34, 36, 37 and 39-46

The foregoing claims would be patentable based on their dependency from claim 1.

Claim Rejections - 35 USC § 103

Claims 47-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sirringhaus et al., U.S. Publication No. 2005/0071969, in view of Sirringhaus et al., U.S. Patent No. 7,098,061. This rejection is traversed for at least the following reasons.

The Examiner admits that Sirringhaus et al. '969 fails to disclose the topographic profile comprising at least one raised region and one depressed region. The Examiner looks to Sirringhaus et al. '061 for a disclosure of a profile comprising at least one raised region and one depressed region.

As noted previously with respect to Sirringhaus et al '969, this reference will be discussed as if it were prior art, on the basis of corresponding PCT publication WO 0229912 published April 11, 2002.

With respect to Sirringhaus et al '061, the patent was issued on August 29, 2006 and the U.S. application from which the patent issued was published on March 27, 2003 on the basis of a filing of Application USSN 10/176,173 in the USPTO on June 21, 2002. Sirringhaus et al '061 has at least one inventor in common with the present application and is commonly owned by Plastic Logic Ltd. of Great Britain, as is evident from the face of the reference and the recorded assignment in the present application (reel 017715, frame 0944). However, the PCT Application for Sirringhaus et al '061 was published as WO 0147044 more than one year earlier than the filing of the PCT application from which priority is claimed in this application.

The present application was filed in the USPTO on December 22, 2005 as a National Stage application based on PCT application PCT/GB2003/005435, filed on **December 12, 2003** and claiming priority from United Kingdom application 0229191.2 having a priority date of December 14, 2002.

On the basis of the foregoing, Sirringhaus et al '061 is not available as prior art under Section 102(b), as it was published after the US filing date of the present application. Furthermore, it is not available as prior art under Section 102(a) or (e) because of the common ownership and common inventorship with the present application.

However, the published PCT Application WO 0147044 is prior art under Section 102(b) as it was published more than one year prior to the PCT filing of the present application (which

is considered a U.S. filing). Thus, Applicants will address the rejection as if properly made on the basis of the PCT Publication WO 0147044 on the assumption that the content of Sirringhaus et al '061 is the same as that of the published priority application with regard to the claimed invention. Applicants note that the U.S. application that issued as Sirringhaus et al '061 is a continuation in part of the PCT application, thereby indicating that new matter was added, the new matter having the filing date of June 21, 2002. Applicants have cited the PCT publication in an accompanying IDS.

Amended Claim 1

Turning next to the substance of the rejection, Applicants note that Sirringhaus et al '061 is cited solely for a teaching of a topographic profile comprising at least one raised region and one depressed region, and for disclosing a polarizing sacrificial layer deposited by polymer solution and spin coating, the surface energy modification process comprising exposing the surface to vapor, and the use of a polymer containing siloxane.

The basic deficiencies in Sirringhaus et al '969 are not remedied by Sirringhaus '061 as there is no teaching or suggestion for using a depositing step in place of an embossing step, as disclosed in Sirringhaus '969.

Claims 47-53

The foregoing claims would be patentable based on their dependency from claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan J. Kasper/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Alan J. Kasper
Registration No. 25,426

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 30, 2008